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Attorneys for Defendant
MARC DAVIS

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

v.

MARC DAVIS,

Defendants.

No. 1:21-cr-00206-DAD-BAM

AMENDED STIPULATION TO VACATE
STATUS CONFERENCE AND SET BRIEFING
SCHEDULE AND HEARING DATE; ORDER

Date: February 23, 2022

Time: 1:00 p.m.

Court: Hon. Barbara A. McAuliffe

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel, Assistant United States Attorney Kimberly A. Sanchez, counsel for the government, and Assistant Federal Defender, Jaya C. Gupta, counsel for defendant Marc Davis, that the status conference currently scheduled for October 13, 2021, at 1:00 p.m. may be vacated and that a briefing schedule and hearing date may be set as follows:

- Defense motion to be filed on or before December 29, 2021;
- Government opposition to be filed on or before January 26, 2022;
- Any defense reply to be filed on or before February 9, 2022;
- Motion hearing to be set on February 23, 2022, at 1:00 p.m. before the Honorable Barbara A. McAuliffe, United States Magistrate Judge.

1 The parties agree that the time period from October 6, 2021 until disposition of the
2 motion, shall be excluded under 18 U.S.C. § 3161(h)(1)(D) because the delay results from the
3 filing of a pretrial motion, through the conclusion of any hearing on the motion, and the prompt
4 disposition of the motion. *See* 18 U.S.C. § 3161(h)(1)(D).

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6 Dated: October 6, 2021

HEATHER E. WILLIAMS
Federal Defender

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8 /s/ Jaya C. Gupta
JAYA C. GUPTA
Attorneys for Defendant
9 MARC DAVIS

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11 Dated: October 6, 2021

PHILLIP A. TALBERT
Acting United States Attorney

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13 /s/ Kimberly A. Sanchez
KIMBERLY A. SANCHEZ
Assistant United States Attorney
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ORDER

IT IS ORDERED THAT the status conference currently scheduled for October 13, 2021, at 1:00 p.m. is hereby vacated.

IT IS FURTHER ORDERED THAT a briefing schedule on the defense motion is hereby set in accordance with the above. The defense motion is to be filed on or before December 29, 2021. The government opposition is to be filed on or before January 26, 2022. Any defense reply is to be filed on or before February 9, 2022. A hearing on the motion is hereby set for **February 23, 2022, at 1:00 p.m. before the Honorable Barbara A. McAuliffe**, United States Magistrate Judge.

Time shall be excluded until February 23, 2022, under 18 U.S.C. § 3161(h)(1)(D) because the delay results from the filing of a pretrial motion, through the conclusion of any hearing on the motion, and the prompt disposition of the motion.

IT IS SO ORDERED.

Dated: October 6, 2021

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE